TL 5716-02

"East Timor and the International Community"

Speech delivered by the Portuguese Minister of Foreign Affairs, Mr. Durão Barroso, to the 2nd Course on Indonesia and East Timor and the 6th Symposium on East Timor of Oporto University

Lisbon, 23rd March 1995

(an unofficial translation)

I was asked by Professor Barbedo de Magalhães, Coordinator of the Course and Symposium, to talk about East Timor and the international community. Given the presence of so many foreign guests in this Symposium, I will use this opportunity to try and state Portugal's stand on the East Timor issue and its diplomatic implications. And I will try to do so as clearly as possible.

First, let me say that the East Timor issue is essentially an issue that concerns the whole international community. It is a problem put before the conscience of all peoples and governments that adhere to the UN Charter and the Universal Declaration on Human Rights.

East Timor is still a non self-governing territory. One of the few remaining territories in this situation, 40 years after the Bandung Conference, 35 years after the adoption of Resolutions 1514 and 1541 by the UN General Assembly and more than 20 years after Portugal, as administering power, initiated its decolonisation process.

The people of East Timor has been not only prevented from freely exercising the right to self-determination but also subject to a regime of violent oppression and brutal violation of the most elementary human rights, over the last 20 years of illegal occupation.

The disregard for the human rights of the Timorese is directly linked to the denial of their right to self-determination. If the human rights' situation in any sovereign country is a legitimate concern of the international community, all the more reason to pay a special attention to the situation of peoples in non self-governing territories who have not yet had the opportunity to freely express themselves on their political status, such as the people of East Timor.

The continuing of the Indonesian military occupation of East Timor is intolerable. It represents a challenge to all the international community. It violates international law. It goes against international morality. It ignores the specific resolutions adopted by the relevant United Nations bodies. It disregards the whole set of deliberations adopted by the UN and their practical implications and it clearly questions the authority of the Security Council. In one word, it goes against and it defies international rule of law based on the principles and mechanisms enshrined in the UN Charter. Therefore, I insist, the East Timor issue is an issue between Indonesia and the international community. It is first and foremost a matter of international law.

The issue of East Timor also concerns another main player who has up to now been clearly set aside: the East Timorese people itself. The issue of East Timor has been on the international agenda and on the political agenda of Indonesia, Portugal and other countries thanks to the persistent struggle of the East Timorese people against the occupation forces. If the Timorese people had given up fighting no one would be talking about East Timor today.

In addressing the issue of East Timor, and bearing in mind Article 73 of the UN Charter, we must not forget that the interests of the East Timorese must prevail over any others. Portugal as the administering power

acts essentially as East Timor's "advocate" on the international scene to ensure the enforcement of the rule of law. We have no particular Portuguese interests to defend. Portugal is committed to uphold the rights of the East Timorese people because we, as a nation, have a special responsibility vis-à-vis the East Timorese people.

Over the last years the East Timorese resistance has grown in strength. It has become more visible thanks to the increasing civilian protests in urban centres and it has established links with democratic opposition movements which are stirring the Indonesian society.

I consider this to be a major feature in the way this issue has evolved. The courage shown by those who took part in the 12 November 1991 demonstration and the courage of those who entered the US Embassy in Jakarta during the APEC Summit, has done more for the cause of freedom of the East Timor people than any other initiatives organised abroad with the same goal. It is the Timorese themselves who will not be silent faced with a "fait accompli". It is due to their revolt that all these years have not consolidated the illegal occupation but rather highlighted the injustice and violence of the "status quo" which is being imposed upon East Timor. In fact, after 20 years, the people in the territory - especially the youth - are demonstrating in a way they had never done before. And this is something which refutes the predictions of some who said that with time it would all slowly die out.

Therefore, the issue of East Timor cannot be reduced to a bilateral issue between Portugal and Indonesia. For this reason it will never be solved by a mere bilateral agreement between Portugal and Indonesia.

A solution for East Timor entails an essential element, the participation and the support of the East Timorese people. And it also requires the clear

acceptance of its validity by the international community.

Portugal does not have the means to settle the East Timor issue on its own. Portugal needs the support of the international community both to solve the question of the right to self-determination and to achieve an improvement of the human rights' situation.

This has shaped Portugal's strategy to achieve a global solution by peaceful means:

- on the one hand, we have pursued the dialogue with Indonesia under the auspices of the UN Secretary-General with the aim to obtain a negociated agreement in accordance with the principles of the UN Charter and in full respect for the legitimate rights of the Timorese people;
- on the other hand, we have made an effort amongst other countries to make them aware of the need to act in order to create the appropriate conditions to ensure East Timorese human rights and to enable a peaceful and inter-nationally acceptable solution for the issue of self-determination.

Past experience tells us that this is the best combination to bring about progresses on this issue. We believe - always bearing in mind the decisive role played by the East Timorese - that it has been important in making East Timor better known by the international public opinion, in the growing attention which has been paid by media and Governments of several countries and in the number of initiatives and decisions taken by various international fora such as the European Union, the UN Commission on Human Rights, the European Parliament, the Joint Assembly ACP/European Union or the Ibero-Latin America Summits, and so on, as well as in national fora, like the US Congress. Even my Australian counterpart has been forced to recognise

that East Timor, Indonesia's "pebble in the shoe" had become a "big stone" blocking Indonesia's path ...

Within this context, I would like to emphasize the very special meaning of the steadfast support given by the Portuguese speaking African countries to East Timor. Some years back when limited attention was given to the East Timorese issue, their solidarity was paramount to ensure that the issue was kept on the international agenda and to add diplomatic credibility to the East Timorese cause.

On the other hand, and in the scope of the dialogue taking place under the auspices of the UN, I would like to highlight that the first intra-Timorese meeting facilitated by the UN Secretary-General, will soon be held in Salzburg. We will achieve a goal which Portugal had pursued for a long time and which we deemed crucial in attaining a solution, i.e., to allow the East Timorese people to be heard, through the different shades of opinion within it.

All will have an opportunity to express themselves: partisans and opponents of the integration, of independence or any other solution which the East Timorese people may freely choose as their political future. Our aim is to enable them to choose and abide by their decision whatever it may be. This is the major difference that stands between us and Indonesia.

But we have no illusions whatsoever that there's a long path ahead. The truth is that Portugal and Indonesia stand clearly apart on many issues within the framework of the Portuguese-Indonesian talks held under the aegis of the UN Secretary-General, namely the political status of East Timor and hence the possibility of its people to exercise their right to self-determination. Indeed, these are practically opposite stands.

I believe that progress in this field will greatly depend on the internal evolution of Indonesia. This huge country cannot remain unchanged in face of the changing international situation and the extraordinary economic and social progress taking place in that region. Its own economic and social development generates and encourages the legitimate yearnings of the major economic and political agents and of the Indonesian people for political openness, for democracy, for good governance.

Proof thereof is the fact that East Timor has became in recent years a central issue in the debate held inside Indonesia and also that Xanana Gusmão has gained a status of hero for Indonesian democratic forces. We, Portuguese, cannot but notice the interesting similarity with our recent history. A little more than twenty years ago, people's opposition to the colonial war became the major tool of the fight against the anti-democratic regime and contributed in a decisive manner towards its downfall in 1974. I recall the demonstrations which took place here, not in this Faculty which did not exist at the time, but next door, in the Faculty of Law where I studied. And at the time, our struggle to bring down the authoritarian regime was strongly linked to the struggle waged by the African peoples for independence in the Portuguese colonies. And I believe that East Timor is contributing to this movement that will lead to a democratisation of the Indonesian society. In today's Indonesia, East Timor is unquestionably acting as an accelerator of the internal democratisation process.

Would there be an Indonesian National Commission on Human Rights if it were not for the polemics raised at international level and inside the Republic of Indonesia itself as a result of the Santa Cruz massacre? In spite of justified reservations raised when it was created, the truth is that it has been pushed into taking ever more assertive stands, as

demonstrated by the recent report on the Liquiça murders in January last. Would the release of such a report be possible just a year ago?

Thus, just as the Timorese resistance is establishing links with Indonesian democratic forces, it is of the utmost importance that the internal evolution of Indonesia is closely followed from abroad. Only yesterday some of you who are well-informed on the Indonesian situation stressed the important role played by the Indonesian media in this process of informing on the East Timorese struggle, despite censorship, government manipulation and harassment of journalists.

I have repeatedly stated that Portugal as a nation has no ill-feelings against the Indonesian nation or people. They deserve all our respect and indeed we share many historical and cultural links.

The insistence of the Indonesian Government on illegally occupying the small territory of East Timor through violence and repression is a mistake that will lead to political, diplomatic and image erosion which is against the own interests of that huge country. A policy of conquest and domination is unacceptable and anachronic. Recent history shows that nothing can be firmly established if based on the opression of peoples and the sacrifice of their fundamental rights and freedom.

I am quite sure that, once the East Timorese issue is solved through the free choice of the East Timorese people, we will surely find an open and democratic regime in Jakarta and we will undoubtedly see a renewal of the centuries-old links between Portugal and Indonesia.

Finally, I would like to say a few words to greet you all, attending this Symposium and to greet in a special way its main inspirer and organiser -

Professor Barbedo de Magalhães. Solidarity movements worldwide have played a crucial role in the progress of this issue. And, I am sure, it will be more so in informing and mobilising individual awareness, in making national and international public opinion further aware, in influencing governments, in enabling the East Timorese to be seen and heard and in supporting the Indonesian democratic movements. In a case such as the East Timorese, where for well-known reasons principles often collide with interests, public opinion is of paramount importance to make sure the former do not end up being sacrificed.

Public opinion in democratic countries is by nature more sensitive than their respective governments to this kind of causes. The changes in government policies towards a more favourable stand on the rights of the people lie in creating awareness of the East Timor tragedy in public opinion.

I can share my personal experience with you. However, for diplomatic reasons I cannot refer to names. I can tell you that some countries which four or five years ago had reservations on the East Timor issue are now countries with a more favourable stand because public opinion in those countries is putting pressure on their governments and because Foreign Ministers are being asked in Parliaments about East Timor. Some years ago when I spoke to them about East Timor they would just look at me and feel slightly unconfortable with my approach because the cause of East Timor was not one that would immediately attract support among them. The situation has changed and often my counterparts in those countries address me and ask about the situation in East Timor.

I told some of you yesterday that I am certain that self-determination is not an unrealistic aim or goal. A few years ago many would say that the independence of Namibia, of Erithrea, the developments in the

situation of the Palestian people, the independence of the Baltic States, were all unrealistic goals. Look at today's situation. These peoples have attained a clear political status despite the views of the same "realists" who also claim that East Timor is an unrealistic issue. It is those new situations which renew our confidence and commitment in pursuing our action for the cause of the East Timorese people.

I would like to say on behalf of the Portuguese Government that we strongly believe in this issue and that we continue to fight for the East Timorese and I know that I can count on your support.